25 March 2003

Original: English

**Meeting of States Parties**
**Thirteenth Meeting**
New York, 9-13 June 2003

# Draft proposal to apply "Rules governing compensation to members of commissions, committees or similar bodies in the event of death, injury or illness attributable to service with the United Nations", promulgated by the Secretary-General of the United Nations, to members of the International Tribunal for the Law of the Sea

**Working paper prepared by the Tribunal**

## A. Background

1. The General Assembly of the United Nations, at its thirty-fourth session, on 20 December 1979, took a decision with respect to compensation for members of commissions, committees or similar bodies in the event of death, injury or illness attributable to service with the United Nations. The decision reads as follows:

> "... the rules[1] shall apply to members of all commissions, committees and similar bodies in respect of which the United Nations pays daily subsistence allowance or annual remuneration and **any such bodies as may in future be certified by the Secretary-General as falling into such category;**"[2] (emphasis added)

2. Three years later, in his note dated 22 November 1982, the Secretary-General expressed his intention to extend such coverage to the judges of the International Court of Justice under the "Rules governing compensation to members of commissions, committees or similar bodies in the event of death, injury or illness attributable to service with the United Nations", with effect from 1 January 1983.[3] Accordingly, those rules have been applied to members of the Court since that date.

3. It should be noted that the Meeting of States Parties has taken into account the conditions of service for the judges of the Court as a comparator when taking decisions with regard to the conditions of service of members of the Tribunal.

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4. It would now appear to be necessary to accord adequate coverage to members of the Tribunal in the event of work-related accidents and for the Tribunal to cover its liability in such cases.

## B. Proposal

5. The following draft decision is submitted to the Meeting of States Parties for the purpose of providing adequate coverage for members of the Tribunal in relation to work-related accidents:

"*The Meeting of States Parties*,

"*Noting* the need to accord adequate coverage for members of the Tribunal in the event of work-related accidents,

"*Decides* to apply the 'Rules governing compensation to members of commissions, committees or similar bodies in the event of death, injury or illness attributable to service with the United Nations', promulgated by the Secretary-General of the United Nations,[4] with effect from 1 January 2004."

*Notes*

[1] "Rules governing compensation to members of commissions, committees or similar bodies in the event of death, injury or illness attributable to service with the United Nations", ST/SGB/103/Rev.1.

[2] General Assembly resolution 34/233, sect. VI, para. 2.

[3] A/C.5/37/50, para. 6.

[4] Secretary-General's bulletin ST/SGB/103/Rev.1.